

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, March 5 2009
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION - 5:00pm

ATTENDANCE

Mayor Dennis Webb
Lynn Pace
Patricia Pignanelli
J. James Palmer, Jr.
Barry Topham
Grant Orton

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Craig Hall, City Attorney
Ryan Bjerke, Legal Counsel
Clarence Kemp – City Engineer

Mayor Webb conducted the briefing session which was called to order at 5:25 pm. The Council reviewed the agenda.

The two resolutions on the real estate purchases need to be postponed for another week until both parties can resolve some issues. Mr. Wagstaff has expressed a willingness to put the billboard on his property.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**March 5, 2009
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

Council Meeting – 6:00pm

ATTENDANCE

Mayor Dennis Webb
Grant Orton
Lynn Pace
Patricia Pignanelli
J. James Palmer, Jr.
Barry Topham

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Craig Hall, City Attorney - excused
Ryan Bjerke – Legal Counsel

Citizens: Steve Hopkins, Members of Scout Troops 560 and 553

I. *Welcome*

Mayor Webb called the meeting to order at 6:05 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Mayor Dennis Webb.

III. *Public Comments*

George & Jane Bowse – 5086 S 2050 E. They made a proposal to the Council on enacting an animal hobby permit. He brought sample ordinances from other cities about the inspection process, fees, guidelines, etc. This issue came about because he and his wife have five dogs that they have rescued and there have been complaints from the neighbors. They would like to remain in compliance and get some type of extension. Holladay's ordinance is two dogs.

Steve Glasser – 2052 Arbor Ln. He evaluates hazardous waste sites for a profession. He recently saw the data from the dry cleaners in the Village. All samples have been at ground level, there have been no ground water samples. This is a concern to him because solvents will reach the ground water and carried downhill to the aquifers and underneath the buildings. He feels the city is not protecting its citizens. Mayor Webb asked that he meet with Manager Fitts and Clarence Kemp to review the data and report back to the Council.

IV. *Reports*

a. Old Mill Corporate Center (6:12:20-6:48:30)

Steve Hopkins and Stan Davis provided the Council will an overview of the proposed project in the Old Mill Corporate Center. Even though it is not in Holladay, the project does border the city and as a courtesy wanted to bring this to the Council. The proposed new building would abut the freeway off ramp and sits

lower. It would be 12-stories (250,000 sq ft) and add an additional 400 cars, the parking structure is already under construction that will serve this building. The tallest building in the complex is six stories. They hope to start construction next February and will house over 1,000 jobs. The biggest concern and impact and is to traffic along 30th East. The intersection at 6200 S and 30th East will be improved and is a priority for the Wasatch Front Regional Council with the stimulus money. Along 30th East there will be a total of three turn lanes onto 6200 S from 30th East. They want this building to be built to LEEDS standards. Their current vacancy rate is 1.7%.

V. Consideration of Resolution 09-04 Authorizing the Execution of a Real Estate Sales Contract with Wagstaff Investment LLC for the Sale of Approx. 1685 sq ft Located at the Corner of Murray Holladay Rd and Highland Dr

VI. Consideration of Resolution 09-05 Authorizing the Execution of a Real Estate Sales Contract with the State of Utah- Division of Facilities Construction & Management of Approx. 12, 980 sq ft located at the Corner of Murray Holladay Rd and Highland Dr

Council Member Palmer moved to table item VII and VIII until further negotiations can be completed. Council Member Orton seconded the motion.. The Council voted by a unanimous vote to table.

VII. Consideration of Resolution 09-06 Appointing Randy Fitts as a Member of the Holladay Chamber of Commerce Board

Council Member Pace moved to adopt Resolution 09-06 with minor revisions as discussed in the pre-meeting (elimination of third and fifth whereas) Council Member Pignanelli seconded the motion. The Council vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Resolution 09-06 was adopted by a unanimous vote.

VIII. Consideration of Resolution 09-07 Encouraging the Utah State Legislature to Utilize the Current Transportation Funding Distribution Formula for any Increase to the Statewide Gas Tax so that the Entire Transportation Network May Benefit

Council Member Pace explained the basis for this resolution. There has been talk at the Legislature of increasing the gas tax to pay for construction and not split it with local government. Ordinarily the State gas tax is divided 70% for the state and 30% for cities. If the legislature passes this bill then the revenue should be similarly divided.

Council Member Orton moved to adopt Resolution 09-07. Council Member Palmer seconded the motion. The Council vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Resolution 09-07 was adopted by a unanimous vote.

IX. Consent Agenda

a. Approval of Minutes –February 19, 2009

Council Member Pace moved to approve the minutes with some minor modifications as discussed in the pre-meeting. Council Member Palmer seconded the motion. The Council voted in the affirmative, with Council Member Orton abstaining and the minutes were approved.

X. City Manager's Report – Randy Fitts

Manager Randy Fitts reported on the following items:

- the city opened the bid for the Village Center road reconstruction. The bid came in over one million dollars below the estimated cost.

- Met with each Council Member about roadwork and priorities in their district. He will put together a list for the Council to review and prioritize. Once that is done, an article will go in the newsletter

XI. Council Reports

Council Member Pignanelli commented on the Art Councils concert series and how well attended they had been. She would like the City Council to write a letter to them thanking them for their work. Also, she and Randy attended a meeting of the Cottonwood Study group and were able to clear up a lot of misconceptions that are out there about the city.

Mayor Webb reported on his meeting with the Education Advisory Committee. They discussed the Walk to School program, a battle of the bands to bring all the jr. high and high schools together. They also discussed the bullying issue and a program to be implemented in the jr high and high schools.

Council Member Pace gave an update on legislative issues. The Holiday Water bill passed. There is an agreement on the township bill which states that no new townships will be formed without a vote, to annex part of a township you need a petition from the citizen, the sunset provision was removed and townships can be dissolved by a petition and vote. The UPD bill has passed the Senate and is on the House floor.

XII. Recess to RDA Meeting

Council Member Orton moved to recess the City Council meeting and convene as the Board of Directors in an RDA meeting. Council Member Pace seconded the motion. The Council voted in the affirmative and the council meeting was recessed at 7:23pm.

XIII. Adjourn and Convene to a Work Meeting

There being no further business. Council Member Pace moved to adjourn the Council meeting and convene to a work meeting in the Mt. Olympus Room. Council Member Pignanelli seconded the motion. The meeting adjourned at.7:23pm.

The minutes for the work meeting follow

WORK MEETING – March 5, 2009

ATTENDANCE

Mayor Dennis Webb
Lynn Pace
Patricia Pignanelli
J. James Palmer
Barry Topham
Grant Orton – excused

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Ryan Bjerke – Legal Counsel
Clarence Kemp, City Engineer

Mayor Webb convened the Council in a work meeting at 8:00 pm.

City Events

Manager Fitts stated we may want to change the focus to a Battle of the Bands. It would bring the family and kids out. The city would organize and get the Education Committee involved or ask for their support. The Council asked Ms. Bohling to come back to the Council in April to provide an update.

Holladay Village

Manager Fitts stated that a meeting with the Planning Commission, Design Review Board and Mr. Lofgren is scheduled for next week to present ideas.

The Council needs to discuss funding issues on all the projects the city has or wants to do. We need to get bid and prioritize where the money goes. A number of projects were mentioned: Village Center, parking structure, city hall and park, fire station, purchase of fire station property, open space at Knudsen Park, Kentucky Ave realignment, etc.

Council Member Topham commented that the Village Center does not fit his concept of what a village center should be. He thought we were going to have a retail center with shops and restaurants. Looking at what has been presented that there will be three or four main businesses and the rest residential. The last thing the city needs is residential with increased traffic. He does not like the height either. He would like to reexamine what this Village Center should be. He sees it as something low and spread out with pathways and a lot of light coming through from above. He also suggested looking into buying the back half of the fire station property now with an option on the fire station.

Council Member Pace stated that at some point that Council takes a vote, the plan gets adopted and you get on board and support. He is supportive of plan and it was the super majority vote of the council. We need to make sure we have our priorities allocated so Mr. Lofgren knows what he can and cannot do. We don't want to be the hold up.

Update from Community Development Dept.

Proposed Tree Ordinance – the Council has reviewed the new draft that includes street and heritage trees with the tree protection during construction in the grading section. Staff has done what we asked them to do and asked to be put on the agenda for a vote.

HAM Radio Towers – the City's ordinance is silent on amateur radios. Staff contacted other cities to see how they handle radio towers and provided that information to the Council. They are federally protected

and we are required to give them reasonable accommodation. The Council discussed maybe tying it to height and roof line. The Council asked the staff to research further, draft some language and get it to the Planning Commission.

Discussion on Economic Development

Council Member Pace put this on the agenda to begin a discussion on how we make the most of the commercial space in the city and encourage economic development. We need to make sure Holladay is business friendly and easy to work with. For example, a new use is a conditional use and cost \$1000, which may drive some away. Are our regulations appropriate to make sure that's it easy for people to do business in Holladay? Are our application and permit fees reasonable, what kind of signage and parking restrictions do we have and are doing enough to promote our economic base.

Council asked the Planning staff to do an internal audit of each business center area and how do our ordinances and fees encourage or discourage commercial. Also look at: expedited process, parking, signs, fees and the overall process. Also do an audit of how much commercial space is vacant either by sq foot or by area. They encourage staff to involve the Chamber in this process also. The Council gave staff 30 days to review and then report back to the Council.

X. *Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition – (If needed)*

Council Member Pace moved to go into closed session for the purposes of discussing personnel issues, potential litigation and property acquisition. Council Member Topham seconded the motion. The Council voted in the affirmative and the council convened in a closed session at 9:15 pm.

Those in attendance at this Closed Session were: Council Members Pace, Pignanelli, Palmer, Topham and Mayor Webb. Also in attendance were: Stephanie Carlson, Craig Hall, Clarence Kemp, Paul Allred and Randy Fitts.

Minutes for the closed session were taken and are now on file as a Protected Record.

Council Member Pignanelli moved to adjourn the closed session and reconvene the work meeting at 10:30 pm. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pignanelli, Pace, Palmer, Topham and Mayor Webb in favor. The motion to adjourn and reconvene in the work meeting passed by a unanimous vote.

XI. *Adjourn*

There being no further business, Mayor Webb adjourned the meeting at 10:31 pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday March 5, 2009.

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 3-19-09